

UNION PACIFIC RAILROAD
101 N. Wacker Dr., Rm. 1920
Chicago, Illinois 60606-1718

Mack H. Shumate, Jr. Senior General Attorney, Law Department

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March 10, 2011

VIA E-FILING

The Honorable Cynthia Brown
Chief of the Section of Administration
Surface Transportation Board
395 E. Street, S.W.
Washington, DC 20423-0001

ENTERED
Office of Proceedings

MAR 10 2011

Part of
Public Record

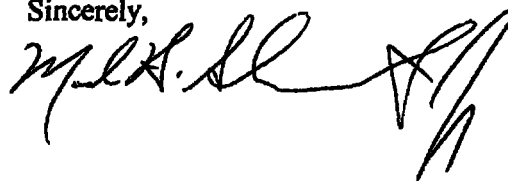
RE: Petition for Exemption to Abandon of a portion of the St. Charles Industrial Lead from M.P. 35.13 to the end of the Line at M.P. 38.3 near St. Charles, a total distance of 3.17 miles in Kane County, Illinois (the "Line"); STB Docket No. AB-33 (Sub-No. 284X)

Dear Ms. Brown:

Union Pacific Railroad Company ("Union Pacific") has received a request from the City of St. Charles, Illinois on behalf of the Local Agencies, seeking to extend the negotiation period covering the issuance of a Certificate or Notice of Interim Trail Use pursuant to 16 U.S.C. § 1247(d) and 49 C.F.R. § 1152.29 for the portion of the Union Pacific's St. Charles Industrial Lead located in the City from Milepost 35.13 to Milepost 38.3, a distance of 3.17 miles in Kane County, Illinois.

The Union Pacific is willing to extend the negotiation period with the Local Agencies concerning the acquisition of the subject property for trail use and supports the Local Agencies' request to extend the negotiation period for an additional 180-days to September 21, 2011. A copy of the Local Agencies' request for extension is attached hereto as Exhibit "A" and hereby made a part hereof.

Sincerely,



Attachment

cc: City of St. Charles

O:\Abandonments\33-284X\STB 180-Days.doc



FILING FEE WAIVED

February 18, 2011



Ms. Cynthia Brown
Chief, Section of Administration
Surface Transportation Board
395 E Street, SW
Washington, DC 20024

ST. CHARLES
SINCE 1834

RE: Union Pacific Railroad Company
Abandonment of St Charles, IL Lead
STB Docket No. AB-33 (Sub-No. 284X)
Petition for Public Use Condition and Interim Trail Use

Dear Chief Brown:

On July 9th, 2010, the City of St Charles, IL, the County of Kane, Forest Preserve District of Kane County, and the St Charles Park District (collectively, the "Local Agencies") jointly filed a request for Public Use Condition and a request for Interim Trail Use Condition (NITU) for approximately 3.17 miles of railroad between milepost 35.13 and milepost 38.3 near St Charles, IL. By order dated September 21, 2010, the Board granted the request to implement interim trail use and to permit public use negotiations as specifically set forth in the order, for a period of 180 days commencing from September 21, 2010, and ending on March 21, 2011.

The Local Agencies are continuing to compile specific information in efforts to satisfy our negotiating needs, and have been in direct contact with Union Pacific; however, it does not appear that the parties will be able to finalize negotiations by the end date of the order. Therefore, on behalf of the Local Agencies, the City respectfully requests the Board to grant a 180 day extension until September 21, 2011, or such time so indicated by the Board.

Enclosed please find the original and ten (10) copies of this letter. Also, it is my understanding that the filing fee of \$450.00 is waived for Government Agencies requesting extension of NITU negotiations as to STB Docket No. AB-33 (Sub-No. 284X) Union Pacific Railroad Company. Please time and date stamp a copy of this letter and return it with the self-addressed stamped envelope.

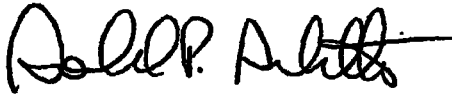
DONALD P. DEWITTE *Mayor*
BRIAN TOWNSEND *City Administrator*

TWO EAST MAIN STREET ST. CHARLES, IL 60174 PHONE : 630-377-4400 FAX: 630-377-4440
Received Time Mar. 9. 2011 3:24PM No. 0234 stcharlesil.gov

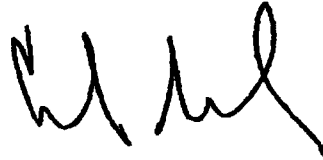
We are also sending a copy to Union Pacific Railroad Company, by US Mail, postage prepaid, first class, on this 18th day of February 2011.

Thank you for your consideration of this request. If you have any questions, please contact Mark Koenen of the City of St. Charles, acting as lead agency.

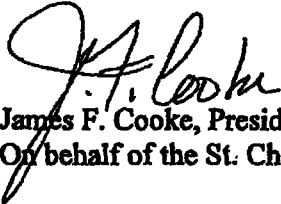
Respectfully submitted,



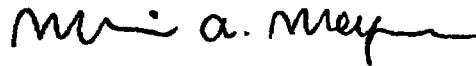
Donald P. DeWitte, Mayor
On behalf of the City of St. Charles



Carl Schoedel, Division of Transportation
Director, On behalf of the County of Kane



James F. Cooke, President
On behalf of the St. Charles Park District



Monica A. Meyers, Executive Director
On behalf of the Forest Preserve District of
Kane County

CC: Mack Shumate, General Attorney
Union Pacific Railroad
101 North Wacker Drive, Suite 1920
Chicago, IL 60606

Mr. Mark Schulte
Senior Manager – Real Estate
Union Pacific Railroad Company
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Omaha, NE 68179-1690